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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3744  
Examiner : Marc E. Norman  
Serial No. : 10/657,461  
Filed : September 8, 2003  
Inventor : Michael R. DeLuca  
Title : PROGRAMMABLE THERMOSTAT  
: INCORPORATING AIR QUALITY  
: PROTECTION

Customer No.: 035811

Docket No.: 1117-R-03

Confirmation No.: 9797

Dated: April 25, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Certificate of Mailing Under 37 CFR 1.8**

For

Postcard  
Information Disclosure Statement  
Form PTO-1449

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

Name of Applicant, Assignee, Applicant's Attorney  
or Registered Representative:

DLA Piper Rudnick Gray Cary US LLP  
Customer No. 035811

By: TR

Date: 25 APR 2005



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**INFORMATION DISCLOSURE STATEMENT**

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Sir:

The Applicant submits herewith Form PTO-1449 to comply with 37 C.F.R. §1.56. A copy of the publications is not included since this Application was filed after June 30, 2003.

Applicants certify that each item of information contained in the Information Disclosure Statement was first cited in any communication from any foreign patent office in a counterpart foreign application not more than three months ago.

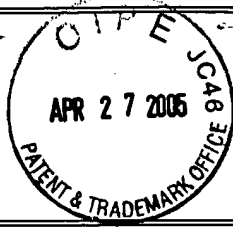
The Applicant respectfully requests that this Information Disclosure Statement be officially entered into the file and that appropriate notification be made that it was considered by the Examiner.

Respectfully submitted,

T. Daniel Christenbury  
Reg. No. 31,750  
Attorney for Applicants

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Form PTO-1449 U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE



ATTY. DOCKET NO.  
1117-R-03

SERIAL NO.  
10/657,461

APPLICANT  
Michael R. DeLuca

FILING DATE  
September 8, 2003

GROUP  
3744

**LIST OF PRIOR ART CITED BY APPLICANT**

(Use several sheets if necessary)

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	2004/0245352	12/09/04	Blaine M. Smith			
	AB	6,715,302	04/06/04	Nelson J. Ferragut, II			
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL							
	AM							
	AN							
	AO							
	AP							

**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

	AR	
	AS	
	AT	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to Applicant.